Darby C. Stapp

Tribes Working with Agencies to Protect Resources

Agencies can improve their historic preservation planning by involving groups and individuals with legal, moral, or personal interests in the resources being managed. Such involvement helps the agency define its historic preservation goals, design its implementation approach, and garner the necessary funding and political support. This has been the case in the Mid-Columbia River region of the Pacific Northwest, where Native Americans, historical societies, and others are working with agencies to strengthen cultural resource protection efforts.

The Mid-Columbia River region is incredibly rich in resources that are critical to the future of Indian tribes in the area. For over a decade, Mid-Columbia tribes have taken an active role in the historic preservation planning process with federal agencies in the area. Tribal involvement has helped strengthen agency cultural resource programs, protect important places, and foster the development of regional stewardship coalitions that are essential to successful, long-term protection of resources for cultural use. This article focuses on the influence that Native American involvement has had on historic preservation planning and implementation in the Mid-Columbia.

Background

The Mid-Columbia encompasses the area from Umatilla, Oregon, to Wenatchee, Washington. Its dominant feature and primary cultural resource is the Hanford Reach, the last 51 miles of Columbia River that has not been inundated by hydroelectric dams. The river, tributaries, uplands, and mountains contain vestiges of villages, camps, cemeteries, sacred places, and other traditional and contemporary Native American use areas. Among its significant historic sites are Lewis and Clark campsites, fur trade posts, missionary sites, and army posts.

Development is the major threat to human remains and historic and cultural resources. Development has led to wholesale resource destruction and has compromised the integrity of cultural landscapes. Other threats include erosion from dams and economic practices such as timber harvesting, cattle grazing, and recreation; contamination of lands, food, medicinal plants, and animals; and looting of graves and archeological sites.

Expanding Tribal Involvement

While tribes have recently been given a voice through historic preservation legislation, the story begins earlier. The legal standing of tribes formally recognized in treaties signed by the U.S. government and ratified by Congress, executive orders, and other federal laws and regulations already grants them access to resources and involvement in regional decisionmaking that transcends what is granted in historic preservation legislation. The Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, and the Yakama Indian Nation all have important rights recognized and guaranteed in the Treaties of 1855. The tribes signing these treaties ceded lands, retaining rights to maintain their way of life, including the right to take fish, hunt, gather roots and berries, and pasture stock. In addition, the Wanapum, who live at Priest Rapids village, are a non-federally recognized tribe who have strong cultural ties to the Mid-Columbia and are consulted regularly by agencies on cultural resource issues. The Confederated Tribes of the Colville Reservation are involved to protect the interests of the Palus Tribe and the Wallowa Bands of the Nez Perce Tribe who live on the Colville Reservation.

From the 1950s through the 1980s, Mid-Columbia tribes and agencies interacted from time to time, principally over issues related to the construction of hydroelectric dams. Discussions focused on salmon survival, fishing access, village relocation, cemetery protection, inadvertent burial discoveries, and archeological salvage work. Relationships developed, for example, between the Wanapum Band and the Grant County Public Utility District, between the Wanapum Band and the Hanford Nuclear Reservation, and between the Nez Perce Tribe and the U.S. Army Corps of Engineers, Walla Walla District.

Hanford, a 560-square mile Manhattan Project and Cold War plutonium production facility, has played a significant role in expanding

tribal involvement in Mid-Columbia cultural resource management. The Nuclear Waste Policy Act of 1982, as amended, provided a mechanism for tribes to get involved in decisions concerning the siting of a high-level nuclear waste repository. The Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, and the Yakama Nation applied for and obtained the status of Affected Tribes, which enabled them to hire their own programmatic and technical staff to oversee Hanford's nuclear waste activities. Tribal work on nuclear issues served as a springboard for broader engagements in cultural resource management. Today, tribes meet monthly with Department of Energy cultural resource staff to discuss current and future projects that may impact important resources.

Once tribes had cultural resource protection programs in place, their influence began to spread beyond the borders of Hanford. As the programs matured, the nature of their efforts evolved from commenting on historic preservation plans and documents, to participating in preparing such plans and documents, and eventually performing the scope of cultural resource management work for themselves. Both the Umatilla and the Colville have assumed state historic preservation office responsibilities under Section 101(d) of the National Historic Preservation Act.

An example of tribal success came in the Bonneville Power Administration's System Operation Review (SOR). By making cogent arguments and exercising political muscle, tribes encouraged the Bonneville Power Administration to gain a greater appreciation for the importance of cultural resources and to do more for their protection. In the mid-1990s, the Bonneville Power Administration committed $65 million to the tribes for cultural resource protection over a 15-year period, beginning in 1997.[1] To facilitate the work, Bonneville, in conjunction with the Army Corps of Engineers and the Bureau of Reclamation, formed five working groups across the Mid-Columbia to plan and oversee cultural resource work. The groups meet both individually and collectively, and conduct such activities as reservoir surveys, site evaluations, erosion control, oral histories, management plan preparations, technology training, and educational efforts to combat looting.

As a result of these and myriad other historic planning projects initiated by federal and local agencies in the Mid-Columbia, substantive tribal involvement in planning, implementation, and oversight in the Mid-Columbia is at record levels. It is important to understand that tribes are not just doing cultural resource work the way it has always been done; they are infusing tribal values into the system and a different form of cultural resource management, one focused more on protection, is emerging.

Benefits of Tribal Involvement

Mid-Columbia cultural resource management has changed in many ways as a result of two decades of increasingly sophisticated tribal involvement. Within the region there are similarities among various tribal approaches to historic preservation, but there are just as many differences. Despite the uniqueness of each tribe's approach, tribal involvement and the mutual concerns of Native Americans have initiated key changes in cultural resource management, such as the following:

Expanding definitions and understandings of cultural resources. Tribes have been successful in demonstrating to agencies that cultural resources include more than archeological sites and traditional cultural properties. They include the plants and animals—especially the salmon—and the habitats in which these resources survive. As a result, agency approaches are evolving from site-specific management to cultural landscape management, and cultural resource management professionals are beginning to understand that it is not just the places that are important, but the places as they relate to living communities.

Managing resources by cultural units, not administrative boundaries. Tribes view resources within their own cultural and institutional contexts. They know which resources they have a responsibility to protect, which are needed for future generations, and so on, regardless of whether the resources are located on land belonging to the Army, Energy department, tribes, or private owners. Their past and future vision and sense of responsibility transcend these political and administrative boundaries. Currently it is only tribes who are forging consistency among the management strategies of various landowners; agency staffs recognize the problem, but agency bureaucracies rarely provide much leeway on this matter.

Pressuring for compliance with federal laws and regulations. Few cultural resource programs are adequately funded to fully comply

with cultural resource laws and regulations. Agency staffs do what they can with the funding available, but the bottom line is that few if any agencies are in full compliance with cultural resource requirements. Tribes have been at the forefront of a movement to ensure that agencies live up to their National Historic Preservation Act and Archaeological Resource Protection Act responsibilities. Their efforts have created a boom in cultural resource management work, and have raised awareness and support among higher levels of agency management.[2]

Advancing from management to protection and stewardship. In the past, cultural resource management activities have focused on identifying sites, describing archeological patterns, and learning about past human behavior. What has been less common are activities designed to protect resources. If we do not focus more attention on protecting sites and resources, tribes argue, the resources will not be available for current or future generations of tribes, or for anyone else. If resources and places are not available for Native Americans to access, their ability to continue their way of life will be hurt. For this reason, tribes are asking agencies to monitor the conditions of important sites and, where impacts are observed from erosion, looting, or recreation, to implement protective measures. This is a key component of stewardship as opposed to management or conservation; resources are a continuing part of modern tribal cultural life, and not mere objects of spectatorship or scholarly curiosity.

These are a few of the major contributions that Native American involvement is making to advance the field of cultural resource management. What has not been discussed is the substantial contribution that tribal involvement is making to Native Americans and their efforts to maintain a way of life. Those interested in this topic are referred to a recent issue of *Practicing Anthropology*.[3]

Emerging Issues

Despite the advances being made in protecting cultural resources in the Mid-Columbia, the struggle is ongoing. The following issues are current points of tension with which coalitions of tribes, agencies, cultural resource management professionals, and the public are currently grappling.

Land transfers and historic preservation plans. Land management responsibilities are increasingly being transferred among federal agencies. When such a transfer occurs, does the historic preservation plan go with the land? Are commitments made to tribes and others during the historic preservation planning process still good? Is it possible that a historic preservation plan tailored to a particular region over many years and with substantial resources could get scrapped entirely when a new agency takes over? Agencies can best serve resource stewardship goals by not re-inventing wheels, by not applying management plans previously developed for other regions with different needs and characteristics, and by supporting commitments made by the former agency. In most cases, a historic preservation plan developed for a piece of land should stay with the land, regardless of who is managing it.

Transferring lands with significant cultural resources to non-federal agencies. There is a national movement afoot to decrease the federal land holdings. Many times, lands being transferred have significant cultural resources on them. For example, in the Mid-Columbia the U.S. Corps of Engineers is transferring to the city of Kennewick five miles of Columbia River shoreline, most of which contains Native American villages, fishing sites, and cemeteries, including the famed Kennewick Man site. How will these transfers affect management and protection? Can the City of Kennewick be expected to protect the important sites newly added to its jurisdiction? The Kennewick Man legal case has cost the government in excess of $1 million per year for the last four years; the city would never be able to proffer such funds. A memorandum of agreement signed as part of the land transfer can commit the city to certain actions, but will the federal government maintain some role to ensure compliance with the MOA? Is that the responsibility of local tribes? Is it the responsibility of local historical societies? All too often, agreements are made to get the transfer completed, and then forgotten, to the detriment of the resource.

The funding need for tribal involvement. Involving tribes and others in a cultural resource management program is worthwhile, as demonstrated by the examples presented in this article. Often, however, a tribe may not have the financial wherewithal to provide

meaningful involvement. Agencies need to be more accommodating in providing financial mechanisms for tribal staff to attend meetings, review plans, and provide meaningful comment. It goes without saying that tribes should have opportunities to conduct cultural resource work for agencies.

Relations between Native Americans and archeologists. Perhaps no issue is more central to the success of resource planning, plan implementation, policy compliance, and tribal involvement than relations between Native Americans and archeologists. In the Mid-Columbia, substantial efforts at cross-cultural understanding have enabled the collaborative efforts discussed above. However, decades of improvement in relations between Native Americans and archeologists are now deteriorating as a result of events such as the recent Kennewick Man case and the efforts of a small group of scientists. A drive to rewrite the Native American Graves Protection and Repatriation Act and put physical anthropologists back in charge of human remains disposition threatens relations even further. Faced with such battles, both sides must nevertheless recognize that they are stronger working together than they are in conflict. It is time to move forward: the time of rigid thinking has passed.

The drive to make Indians archeologists. Hindering progress in the drive to improve relations among Native Americans and archeologists is a fundamental flaw in many archeological overtures to Native Americans. The profession erroneously believes that if it could just train Indians to be archeologists everything would be OK. While any Native American should be free to become an archeologist if he or she so chooses, Native Americans are not clamoring at the doors to enter the field of archeology because of fundamental differences in worldview and a general insensitivity of the profession to Native priorities. A more fruitful approach might be to educate archeologists about the needs and perspectives of Indian people. Those training the next generation of archeologists need to provide more guidance to their students about working with living peoples, especially peoples from other cultures. Archeologists need to become better anthropologists, not so they can learn more from their archeological data, but so they can better understand how archeological sites and information about the past relate to the living.

Developing tribal cultural resource management method and theory. Despite the rapid advances Native Americans have made in cultural resource management and in articulating the principles of stewardship, tribal cultural resource management as a new paradigm for practice is still in the early stages of development. True support for tribal cultural resource management is not simply a question of teaching Native Americans to do cultural resource management. Rather, archeologists and Native Americans must endeavor to re-fashion the cultural resource management framework in ways that integrate tribal values, and that is not easy. If archeology and tribes can rise to this challenge, both sides will benefit.

Adopting the Stewardship Paradigm

In the Mid-Columbia and wherever Native Americans have become active in cultural resource management, tribal values have reframed standard approaches to the who, what, where, and why of our practice. Professionals trained in the paradigm of scientific archeology, history, or architecture no longer dominate the field. Instead, those who own, want, and need the resources are helping set the agenda, articulating their own expectations, and partnering with agencies to ensure desired outcomes. This should not be seen as a divergence in cultural resource management work; rather, we may be on a path toward practicing cultural resource management the way it was always supposed to be. Elders and youth, worldviews and ways of life, oral histories and ecosystems, tribal sovereignty and cultural integrity are once again finding their rightful places in a field that has for decades been dominated by the dyad of science and development.

Notes

1 Thomas C. McKinney, "CRM at the Federal Columbia River Power System," *CRM* 21:9 (1998):31.

2 Julia G. Longenecker and Jeff Van Pelt, "Training for Law Enforcement—A Tribal Perspective," *CRM* 22:5 (1999):17-18.

3 "Changing Paradigms in Cultural Resource Management," Special Issue, *Practicing Anthropology* 20:3 (1998):2-33.

Darby C. Stapp, Ph.D., RPA, is the Director of the Hanford Cultural Resources Laboratory, which is operated by Pacific Northwest National Laboratory for the U.S. Department of Energy, Richland, Washington. He has lived in the Mid-Columbia since 1987. He can be reached at <dcstapp@pnl.gov>.